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### Foreign Miscellany.

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#### THE CRUISE OF THE HURRICANE, OR THE NAVY AS IT WAS.

BY A TAR OF THE OLD SCHOOL.

Oh, well do I remember the jovial reefer's berth,  
Where mischief sway'd the sceptre—prime minister was mirth;  
The boot-jack with its horse-shoe end clings to my mem'ry yet;  
I've felt the smart on my nether part, then how can I forget?

It was a delicious clear autumnal night, the stars were shining in the full splendor of their effulgent glory, and the water, like a polished mirror, reflected their brightness on its smooth surface, unruffled by a breath of wind. The dark land stood out in bold relief from the bright sky that crowned its summit; all was still and tranquil on the shore, and the floating fabrics of Britannia's pride lay slumbering in calm repose upon the bosom of their own peculiar element; the silence was alone broken by the periodical striking of the watch-bells, and the challenges of the sentinels proclaiming "all's well."

Now, I contend that is very fine writing, and would afford an excellent study for an artist, leaving him to select any locality he pleased, or give full indulgence to his own imagination. It certainly was a beautiful night, in the month of September, as His Majesty's corvette, the Hurricane, lay moored in Plymouth Sound, her sticks all ataunt-o, her sails bent, awaiting for final orders to proceed to sea. Captain Seadrift lay in his cot, suspended to the cabin beams,—and there lay, also, upon the slide of a quarter-deck carronade, wrapped up in his thick great-coat, with his head enveloped in a warm hairy cap, and as fast as one of the seven sleepers—yes, there lay Mr. Sugarsop, a "young gentleman" of sixteen, and officer of the watch; whilst leaning over the binnacle, in a half-dose, was Tom Weathereye, the quartermaster. Of the sentries, it could not be asserted, positively, that they were sleeping, though their fire-locks had an odd sort of twist with them, bayonet downwards; yet they were accustomed to it, and the jollies could "recover arms" in a moment; all that could be said of them was, that they were leaning against their "posts."

Seven times had the sentry at the cabin-door given the half-hour-glass a shake, and turned it over; seven times had he acquainted the quartermaster with the precise progress of time, and seven times had the sonorous bell proclaimed to all who heard it the hour of the night. The marines, without moving, shouted the usual cry, to show their vigilance; it had become a second nature, and they could do it just as well when asleep as awake; nay, I can remember one who had contracted the habit so fixedly, that he

generally went through the night with it every time the bell struck, whether he was in his hammock or out of it. Even the sentry at the cabin-door enjoyed a bit of a snooze to himself, (for he could hear Capt. Seadrift snore;) and on awaking, he shook his lantern instead of the glass, wondering it was not out. Aroused, however, he ascertained there was but little sand remaining, and he magnanimously kept his eyes open till the last grain had descended, when, after turning it over, he shoved his head up the companion, like a turtle out of his shell, and pronounced the words, "eight bells."

In an instant old Tom responded, "Ay, ay!"

The sentries were promptly on the alert; and Mr. Sugarsop, springing up from the carronade slide, exclaimed, "Strike the bell eight!" and though the clapper had loudly spoken no less than twenty-eight times during his watch, this was the first he had heard. But now he shook off the poppy seeds of sleep from his eyelids, as a lion would shake the dew-drops from his mane. Sugarsop was himself again; his *wearying* duty for that night was at an end, and, worn down with *fatigue*, he implored the quartermaster to procure him quick relief.

"Who am I to call, Sir?" demanded old Tom:—"what young gentleman has got the middle watch, Mr. Sugarsop?"

"Why, let me see. Rouse out Mr. Handsel," responded the Midshipman; "he hasn't kept a watch since he joined the ship—"

"And swears he never will till we gets to sea," rejoined old Tom. "He says he's got enough to do in the howld all day, without keeping watch at night. You'd better think of somebody else, Sir."

"But the hold has been stowed and completed more than a week. He wants a long rest; and it's too bad of him to skulk away from his duty," said the Mid.

"Oh, that ere's a catching complaint. Mr. Sugarsop," remarked old Tom, drily. "We none on us likes to heave out of our hammocks; but I'm sartin you won't get Muster Handsel to show a leg to-night; and I'm thinking he'd be sarving out monkey's allowance—more kicks than ha'pence—if I was only to shake his bed-posts."

"Well, then, you must call Mr. Black," said the young officer, peevishly; for though this was his first trip to sea, yet he had already more than once or twice had a taste of Handsel's colt, and doubts arose that if he persisted in disturbing him he might incur a further exercise of discipline.

Away went the Quartermaster, with his lantern, mumbling to himself something about "a nest of young bears;" and Mr. Sugarsop, having taken up his station near the main hatchway, so as to listen

to what passed, rather impatiently awaited the result. Bending beneath a closely-wedged dovetailed mass of hammocks, old Tom discovered that of Mr. Black, and, shaking the clues, exclaimed, in no very gentle voice—

"Rouse out, Sir, rouse out, if you please, it's past eight bells."

"Eh?—what?—who's overboard?" demanded the Midshipman called; whilst those who had been awoken by the summons grumbled and growled so as to render the allusion to a "nest of bears," far from inappropriate.

"It's not never nobody overboard, Mr. Black," responded old Tom; "it's past eight bells, Sir, and Mr. Sugarsop ordered me to call you for the middle watch."

"The devil he did?" uttered Black, wrapping his blankets round him, and again composing himself in his hammock: "Then I'll Sugarsop him! The son of a gun! to have the presumption to suppose that I shall turn out to keep night watches, after doing dockyard duty all day! Tell him, Quartermaster, I haven't laid in a sufficient stock of sleep to afford it."

"In all due submission, Mr. Black," remonstrated old Tom, "I don't think there's been much dockyard duty doing for the last three days."

"And what are three days' rest to recruit exhausted nature, after the toils of such arduous service as I have had, you old grumbler?" responded the Mid. "Go and tell Mr. Sugarsop he must get somebody else to relieve him."

"I can but obey orders, Sir," mumbled the other, whilst again complaints arose from several voices touching the breaking of their slumbers.

"Then you won't turn out, Mr. Black?"

"Positively I will not, nay, I am even now fast asleep," said the young man; "call Mr. Handsel."

"He'd better not," observed Handsel, who had been aroused by the noise. "I'll stop his plish for a month if he does; and he knows very well who mixes the grog. A precious thing it would be, if, after knocking about in the hold all day, I am to take watch besides! Call Jemmy Wright."

"I went on shore on leave, yesterday afternoon, and haven't come aboard again," said the individual who had been named,—*"call Sherwood."*

"I'm going on the sick-list in the morning," growled Sherwood; "it would be as much as my life is worth to expose myself to the chilling air in such a climate as this, after serving three years in the West Indies. Turn out, Handsel, and scribble Sugarsop a written order to keep all watches till countermanded."

"Well, gentlemen, this here may be all fun to you," remonstrated old Tom, somewhat angrily, "but, with all due submission, it's coming it rather too much of the monkey, I'm thinking, to expect me to be backing and filling here when I ought to be in my hammock. My relief's on deck; and so, young gentlemen, as none on you seems disposed to mount a-reeve, why, I'll just leave you to consider on it; and mayhap Mr. Sugarsop ull jist be axing the First Lieutenant as to the right jometry of the matter.

There's the jollies all relieved, and turning in. I have had my four hours—"

"Ay, ay, under the lee of a pea-jacket, old boy!" shouted Jemmy Wright. "You have been having a comfortable caulk, with a marine's starn for a pillow; and Sugarsop has bottled off enough sleep to last him for a three months' cruise. Away up, old man, and dowse the glim: remember, I'm ashore, on leave."

"Then none on you means to turn out, and that's settled, I suppose?" uttered the Quartermaster, in a tone of inquiry; but not a soul answered. "Well, well, mayhap the Captain will go for to hear the bobbery, and there'll be some intwistigation of it to-morrow on the quarter-deck. I've sailed with him, young gentlemen, afore some on you wur born; and if you'd take an owld tar's advice, you wouldn't be slack in stays, but look smart, and do your duties. Besides, there's Muster Forebrace, the First Lieutenant, arn't not by no manner of means to be trifled with—"

"I'm asleep, Quartermaster, and dreaming of home," said Black.

"I'm ashore, on leave, and cannot hear you," uttered Wright.

"I have an incipient fever on me, and shall go on the sick-list in the morning!" exclaimed Sherwood.

"I'm down in the hold," said Handsel.

"And I'm up the hatchway," added old Tom, suiting the action to the word; for, raising his lantern from the deck, he ascended the ladder, and left them in darkness.

No sooner, however, were they alone, than they commenced a wrangle among themselves as to who ought to relieve the deck; and again they rung the changes upon their several excuses; but as Jemmy Wright's appeared to be the least feasible, the attack of the rest was directed against him, and they insisted that he should turn out; nay, more, Handsel, a Master's Mate, and the senior in the mess, felt for his knife to cut Jemmy down, which the latter suspecting, as they laid alongside of each other, he grappled with his opponent, and they struggled together like the two Highlanders suspended over the devil's pass, till Wright came bundling out, and falling with no little weight upon the hatches. Quickly springing up again, he placed his arched back beneath Handsel's hammock; he lifted it up to the beams, and then let it go suddenly, so that the laniard batten gave way, and down came the Master's Mate, bringing Black with him. Jemmy, having perpetrated the mischief, crept out of the way; whilst Handsel, not aware that Black had shared his descent, grappled hold of him, supposing it to be Wright, and pitched into him in the most unceremonious manner; whilst Black, laboring under a similar mistake, pummelled Handsel with all his might, thinking it was Jemmy.

In the midst of the affray, Sugarsop descended with a lantern, and the light falling obliquely on the countenances of the combatants, rendered them aware of their error. The boxing ceased, and each gazed with surprise at the other, both exclaiming, "Halloo! how's this? I thought it was Jemmy!"

"Oh, *did* you think it was Jemmy?" said the author of the mischief, as he stood on the hatchway



ladder, grinning at them; for, having got possession of his jacket and trousers, he had hastily pulled them on and gone on deck to relieve his messmate, whose watch-coat he had borrowed.

"And so you have both been hammering at one another, supposing you had got hold of me! But Jemmy's too deep for you; you must turn out a little earlier to catch *him*, my boys."

The two Midshipmen were squatting on the deck amidst the wreck of their bed-clothes, scratching their heads, and looking silly enough, when the Quartermaster made his appearance, and said, "The First Lieutenant wants to know what all this here row's about, young gentlemen;" and then in a lower tone, "it's my belief you've woke the Captain."

Handsel and Black were menacing Jemmy; but the mention of the Captain and First Lieutenant produced an instantaneous cessation of tumult, and they all looked round in perplexity as to what answer should be returned.

"Oh, I see," uttered Wright, aloud, "one of the hammock battens has given away, and the hammocks have come down. Hand here the lantern, Sugarsop, and I will go and and report it to Mr. Forebrace myself;" he continued in an audible whisper, "I say, sing small, my dicky-birds, there's three mastheads aloft, and it wouldn't be pleasant to get perched up there for eight hours; so look sharp and hang your hammocks up to the next batten, I'll make all square."

Jemmy entered the gun-room, and went to the after-cabin on the starboard side, the door of which stood open, and displayed a red night-cap over a face that almost rivalled it in color, and both the property of the First Lieutenant of the Hurricane. "What the devil is all this bobbery about, Sir?" demanded he. "Pray, have you the watch on deck?"

"Yes, Sir," answered Jemmy; "it is my watch on deck, Sir, and hearing the noise, I went below to see what had caused it, Sir; the hammock battens have given way, Sir, and Mr. Handsel and Mr. Black came down by the run, Sir, head first; that's all, Sir."

"Some monkey-trick, I'll be sworn," said Mr. Forebrace; "and the peace of the ship must be disturbed at this hour of the night by a set of d— young scamps, who do nothing but skylark and consume the King's provisions. I shall soon have you all in blue water, and then you may stand clear. If I hear any more confusion, I shall send all hands to the masthead till daylight. Tell them so, Mr. Wright, and keep a good look-out on deck. I am pleased to see that you are not in the affair; it shall be noted, Sir. Hand me here that decanter and goblet of water that's on the sideboard, and bring a glass for me, and one for yourself."

Jemmy, putting down the lantern, readily obeyed.

"And now, help yourself, Mr. Wright," continued the Lieutenant, having mixed a tolerable jorum of half-and-half; for, if the truth must be told, Forebrace loved a good stiff glass of grog. Jemmy did not wait for a second bidding; the pure element and the ruby liquor mingled joyously together, and the young Midshipman quaffed it off with the judgment of a connoisseur.

"Put the things back in their places, Wright," said Forebrace, "and bear a hand on deck. Leave word for me to be called at four bells in the morning watch."

"Ay, ay, sir," replied Jemmy; and having obeyed orders as to the decanter and glasses, he went forward to the Midshipman's berth. "The First Lieutenant is very angry at the noise you've been making, and swears he'll masthead every one of you if he hears another word. As for you, Sugarsop, I'd advise you to look out, or, by the lord Harry, you'll get a taste of soursop, that won't be agreeable to your constitution." The youngster uttered, "Who? me?" but Jemmy stopped him. "Handsel," he continued, "you are to keep the morning watch, and to call Mr. Forebrace at four bells." He then uttered, in a whisper, "It's all right, messmates; I've done it for you—it was the battens breaking—and now for a good look-out."

And a good look-out Jemmy kept; for wrapping himself up as snugly as possible, he was soon fast asleep on the carronade slide, where he remained till eight bells, when Handsel, apprehensive of getting into trouble, speedily relieved him; and thus the wily young rogue avenged himself upon the Master's Mate.

"Don't you hug yourself with the idea of getting off so easy, Master Jemmy," said Handsel; "I have a long score chalked down against you, and I'll make you fetch up your lee-way before long."

"I beg you would not mention it," responded Wright, giving his messmate a pretty wide berth; "if I owe any debts, I know how to pay them; but I hope Black didn't hurt you—it was a rum go, any how. Here, will you have Sugarsop's coat—it's like the marine's breeches—belongs to all hands."

"Hand it here," commanded Handsel, who stood ready to grip hold of Jemmy, if he ventured to approach within reach of his arm.

"Catch a weasel asleep," returned Wright, pitching the coat from a respectful distance; "you are a pleasant companion at half a league off, but not quite so agreeable when close alongside. I got you out of a scrape to-night, and this is the way you thank me for it; oh, the black ingratitude of the world!"

"You got me into the scrape first," responded Handsel. "But never mind, I will give you something to write home to your mamma about, before many dog-watches are out."

"And a pretty yarn I shall have to spin; there's your coming down by the run, and falling foul of Black," rejoined the other, laughing; which provoked his messmate exceedingly; but they were now standing over the Lieutenant's cabin, and it would have been high treason to have made any noise. "Never fear, Handsel, but I'll bring you through it; and now hear the news: Mr. Forebrace is to be called at four bells, and then I believe the hands are to be turned up to wash clothes and scrub hammocks, so you have a pleasant morning before you;" he waved his hand. "Adieu, I am sorry I cannot stay with you, you are such a funny fellow; but the best of friends must part, so farewell."

Whilst uttering this, Wright kept cautiously re-

treating towards the main hatchway, followed by the eager Handsel, who hoped to give him a crack as he descended. But in this he was disappointed, for just as he was about to spring upon his prey, Jemmy cap-sized a coil of rope right before him, and down came the Master's Mate upon his hands and knees, whilst the other was over the coomings and disappeared in an instant. He found, however, he had not been altogether forgotten, for his hammock was on the deck, and the bedding scattered about. Jemmy uttered no complaint; he collected his things together, and without undressing laid himself down to sleep.

The daybreak was beautifully fine; and oh, how dearly do I love to watch the early beams of light as they come gradually brightening up the face of nature. Many of the men were aware that a general washing was about to take place, and therefore quitted their hammocks to make due preparations, especially those who had engaged for certain considerations to cleanse the apparel of their shipmates, such as a pint of grog, or "I'll wash your shirts if you'll scrub my spare hammock." To be sure, there were some who undertook it as a matter of friendship, but these were not very numerous, as the people had only been together for a few weeks, and their acquaintance was not of that character to warrant any great manifestation of familiarity. It is true that some of the drafts had included old shipmates, and it was principally amongst these that kind offices prevailed, for long service together creates a bond of brotherhood that is seldom or ever broken. Buckets, tubs, kids, in short every thing suitable to the purpose, were put in requisition, and select spots chosen for the performance of the operation. The guns had been run fore and aft, so as to afford ample space for scrubbing; and Handsel, on whom the duty chiefly devolved of superintending the whole, now busied himself in forwarding the necessary arrangements.

Exactly at six o'clock, the Master's Mate apprised the First Lieutenant that it was "four bells."

"What sort of a morning is it?" demanded Mr. Forebrace, raising his fiery summit from the white pillow on which it had been resting, and not inaptly resembling a scarlet flamingo on a bale of cotton; "fair weather or foul?"

"Fair—very fair, Sir," returned Handsel; "a light breeze from the nor-west, and every promise of a glorious day."

"That's well," responded the Lieutenant; "turn the hands up, wash clothes and scrub hammocks. But, avast, what was the cause of the uproar in your berth last night?"

Handsel gave much such an explanation as Wright had done, with which Mr. Forebrace seemed satisfied; and having received further orders, he returned to the deck, when the next minute the shrill pipe of the Boatswain's Mate summoned all hands to the washing-tubs and scrubbing-brushes, and in a very short interval the men were hard at work as directed. Every seamen in a ship-of-war had two hammocks made of canvass, (for though the whole, the mattress and bedding, is called a hammock, yet the name properly applies to the canvass, which forms the outer covering, and which is suspended by means of clues;)

this enables them to keep one clean, and it is, or ought to be, shifted every fortnight. The deck was speedily spread with scrubbers, their trousers rolled up to their thighs, and shirts to their arm-pits, displaying limbs of the most perfect symmetry and muscle, whilst the boobee wallees, (a name given to the washermen in India,) having received a proper allowance of fresh water, were soaping and lathering away at the tubs, assisted by three or four girls who yet remained in the ship.

It was a strange and curious spectacle, and, as if to increase the effeminacy of the proceedings, some of the men had bound handkerchiefs round their heads, and others linen round their loins, like petticoats, and many a bit of sport the assumption afforded, which, as long as no very great noise was made, met with no check from Handsel; in fact, he was delighted with the pastime, and, as discipline was somewhat relaxed on such occasions, he had not much fear of being called to account by the First Lieutenant. Sometimes they slyly splashed each other, and then a bucket of water would capsize from the booms, over a kneeling scrubber, no one could or would tell how, then the handle of a long-brush would *accidentally* get between a marine's legs, and down came the unfortunate fellow sprawling on the wet deck, amidst shouts of laughter, and inquiries whether he had entered for the cruise or only by "the run." The topmen were employed fixing tail-blocks to the yard-arms, to reeve the outhaulers to the gantlines by which the hammocks were to be suspended to dry, passing from the flying-jib-boom and to the outer extremity of the spanker-boom on each side of the ship, and whilst performing this duty they played many practical jokes.

"'Pon deck, there!" shouted the man at the main-yard-arm, as he sat astride with the most perfect composure, "I'll thank you to send me a couple of foxes up by the whip," and he pointed to a half-witted lad that was standing in the waist.

"Ay, ay," was the response. "Here, Billy Dawson, slip your head and arms through this running bowline, and carry these foxes up to Bullwaggy. D'ye hear?"

The poor fellow stared at the command, but, taking the foxes from the captain of the top, he did as he was bid, and the next instant he was swayed aloft to the yard arm, without making the least resistance or noise, but much to the amusement of the beholders. When lowered again he was suffered to drop into the water, where he floundered for a moment or two, and then was hauled aboard. Borrowing soap without leave gave rise to numerous scuffles, and the mere dabblers in washing, whilst receiving instruction in the art of clear-starching from the more practised hands, were made the objects of some mischievous trick.

"Hurrah, my hearties!" exclaimed a sturdy-looking maintopman, full of devilry and mischief, as, with a woman's cap upon his head, he plunged his arms into the suds, and dispersed no inconsiderable portion to a marine that stood by his side. "Hurrah! we shall muster clean shirts enough for the whole of the French fleet."



"That jist displays your ignorance, Jem," said a shipmate behind him, employed with a long-handled brush in scrubbing a pair of trousers, "them French never wears any shirts, they've only collars and ruffles—they're not troubled with mustering bags."

"But they have bags, though," urged Jem, "and they carries 'em over their shoulders like a jolly's knapsack. They've bags and tails, too, and precious proud they are on 'em, I can tell you."

"Well, you ought to know, Jem, for you looks for all the world, carrying that skysel aloft, like a French dam-herself," returned the other, "a regular Polly woo—though you don't sport your kick-shoes or the billy-mong of a madame. Avast there, Jenny, you're knocking the spray about with your fins, like a whale in his flurry."

This last was uttered to a remarkably stout woman, who, in her eagerness at rubbing the linen, had favored the seaman with no small portion of the contents of her tub. The term, however, offended her.

"And pray who do you go for to presume to call a whale?" said she, withdrawing her fat arms from the tub, and, wet as they were, sticking them akimbo. "I'd have you to know, Mr. Porpus, as I'm no whale; and if you goes for to disperse my carackter in that manner, I'll give you a thump as you won't forget for a week."

"Why, Jenny, that ud be just like a whale," remarked Jem, "for they always gives a blow when they goes to spout."

"You never mind that, Jem. I never *spouted* nothing of yourn," screamed the still more exasperated woman, "and if you goes to purvoke me any more, I'll clap my mark to some o' your mitty-musses—that's what I'll do."

"You're an odd fish, at any rate," observed the scrubber, "somut atwixt a flounder and a dab."

"And there's a dab for you," shrieked she, as her broad wet hand came heavily on the other's face, which heightened the color, as for a moment he stood proudly erect, every sinew stiffening with anger. But it was only for a moment—had it been a man before him, the chances are that he would have been felled like an ox, for the sailor had the strength of a giant; but it was only a woman, and bursting into laughter, as he resumed his labor, he uttered, "If that's the way you sarves out your favors, Jenny, I'll thank you to scratch me out o' your good books. I'd much rather be in your black list."

"Oh, you would—would you?" and she was adding some further expletives to her harangue, when the marine whose tub she had nearly capsized in her heavy-lutions, mildly said,

"I'd thank you, my good woman, to exercise a little care. You've nearly upset my laundry. Pray take open order, and dress more to the right."

"What is it to you how I dress, Muster Jolly?" demanded the virago, turning round to the somewhat alarmed soldier. "My clothes never cost you nothing; and I knows how to demean myself as orderly as any woman in the sarvice. Order and dress, forsooth. Marry, come up, says I."

"I meant no offence, Jenny," returned the marine,

placidity, "you have mistaken my meaning. I only wanted you to fall back in the rear."

"I dare say you did, you onmanly fellow," exclaimed the still more excited woman. "But I shan't fall back on my rear for you—that's what I won't. Who are you, I should like to know, for to go for to insult a lady?"

This last self-assumed appellation produced an uproarious burst of laughter, which drew others to the scene, and the enraged vixen, finding herself the subject of ridicule, sprang like a tigress on the unfortunate marine, grasping hold of his hair, and pummeling him without mercy. In vain he strove to get clear of her, or secure her hands—he would not strike again—and over went tubs and buckets, mingling half-washed clothes and wet swabs, soap, pipe-clay, and brushes, in one confused heap. Jem at length took hold of her, to release the marine from her clutches, when she flew at him, but was little more than a baby in his powerful grasp. To keep her talons away from his eyes he at once followed the counsel of the soldier; for he dressed her back to the rear, and down she came with her nether end into a washing-tub, where she was jammed so fast, that when they tried to raise her up the tub still retained its hold, now rendered more adhesive through suction; and it was not without some difficulty that they contrived to remove it, amidst shouts of "Who'll buy my periwinkles—winks—winks—who'll buy?"

But Jenny was neither exhausted nor appeased, and nothing but the appearance of Mr. Forebrace on deck restrained her from further violence. "Yohoy!" exclaimed the First Lieutenant. "Halloo—what the devil is all this rumpus about? Aye, I see, Jenny Skraggs, as usual. Quartermaster, tell the Cook to bring up his tormentors, and Boasun's Mate stand by to hand the lady into the jolly-boat. She shall cool herself upon the Mew-stone."

The fury of the woman was instantly suppressed, though it was evidently not subdued. The mention of the tormentors she cared nothing about; but to be sent out of the ship before she was paid, involved a loss which was not to be endured, and therefore Jenny affected humility, and earnestly implored Mr. Forebrace to recall the order, asserting that all hands had been "playing devil's tricks with her." And as in a short time peace was restored, nothing further was heard of the matter, except a voice now and then crying out, "Who'll buy my winkles?"

Amidst the skylarking of the people, Handsel had not allowed the most trivial duty to be neglected. Every thing had been promptly and correctly executed, and the First Lieutenant complimented him upon his vigilance and attention. "But where is the Midshipman of the watch," inquired he.

"I understood it was your orders that I was to keep the morning watch, Sir," returned Handsel, who begun to suspect the trick Jemmy had played him.

"No, no, I said nothing about it," replied the Lieutenant. "But never mind—it is as well as it is—you have made capital progress, and I am pleased with it. Let the young gentlemen be turned out."

"Ay, ay, Sir," responded Handsel, and then muttered to himself, "I'll do it myself; Jemmy shall pay

for this." And having procured a bucket half full of soapsuds, he cautiously descended the main ladder. Wright lay upon the collected hammocks, which he had dragged close up to the medicine chests, and being very sound asleep, he was not disturbed by Handsel placing the bucket on the chest just above his head. One of Jemmy's legs was drawn up, and the Master's Mate having fastened a piece of spun yarn to the handle of the bucket, secured the other end round Wright's foot; so that on being aroused he would stretch out his leg, and drag the bucket down upon him. Away he went, and then sent the Quartermaster to say "the First Lieutenant wanted them." As Handsel expected, so it exactly occurred; and leaning over the hatchway, he heard Jemmy blowing like a grampus, whilst the roar from his messmates fully testified that he was revenged.

"I know who has done this," exclaimed Jemmy, rising up from the deck, his head frothed with the suds, and the water running down his shoulders. "It's too bad, any how; but never mind, I'll square the yards with you yet." And taking Handsel's sheets, he unceremoniously used them by way of towels to dry himself; and because Sugarsop laughed at him, he had the saturated linen dabbed into his face.

"I'll complain to the First Lieutenant, if you do that again, Wright," said Sugarsop, excessively mortified.

"Thanky," returned Jemmy, repeating the operation, "I'm always happy to be brought under the notice of my superiors; and if you will do me the favor, I shall be eternally indebted to you. Would you like a little more?"

"No, no," responded Sugarsop, endeavoring to avoid the infliction; "only let me alone, and I will never say a word about it."

"That's ungrateful, too," uttered Jemmy; "but you are all alike; not a spark of gratitude in the human heart. There's Handsel—"

"And what have you got to say about Handsel?" demanded the Master's Mate, showing himself in the square of the hatch.

"Oh, nothing—nothing very material," answered Jemmy; "I'll whisper a word in your ear by and by. You know how honest I am in dealing with my creditors; kind Sir, I owe you one;" and he bowed in mock salutation.

"What do you mean," inquiring the Master's Mate, assuming a severity of tone; but instantly laughing at the midshipman's appearance, he added, "why, Jemmy, you look as if your clothes had been washed upon your back; have you been taking a swim?"

"Yes, and I have learnt to strike out lately," responded Wright, as he sent the empty bucket at Handsel's shins; but the latter avoided it by jumping on to the ladder and running upon deck, and the missile struck Sugarsop as he was drawing on his boots, and hoped he had got out of harm's way; over went the unfortunate Middy, unconscious of the quarter from which the bucket came, as his back was towards the properer.

"Pon deck there!" shouted Jemmy Wright, "precious Scarborough warning, or rather no warning at all, you are giving us, sending the buckets down the

hatchway after this fashion; you'll be maiming some of us for life."

"Oh, dear! what shall I do?" uttered Sugarsop, deceived by the other's plausible manner. "Oh, dear! my back is almost broke; lend me a hand to get up, Wright—do, there's a good fellow."

"Ah, certainly, my boy," responded Jemmy, taking the youngster's hand, and gently aiding him to rise. "It's too bad to be skulling the buckets about, as if there was no flesh and blood in the ship. I suspect it is some of Handsel's doings, for there he is grinning down the hatchway at us; you may laugh, but you have almost killed poor Sweetlips here; look at him, he is ready to kick the bucket."

"I wouldn't have served you so, Handsel," uttered Sugarsop, in a tone evincing pain both of body and mind; "but you are always up to some mischief with your skylarking."

"If it was my case, I should complain to the First Lieutenant," said Sherwood; "such ungentlemanly conduct does not become the character of an officer, and I am sure it will receive no encouragement from—"

What more he would have urged was suddenly prevented by the tails of a wet dish-swab catching him right in the face and stopping his breath.

"You will say I did that, too, I suppose," exclaimed Handsel, who certainly had nothing to do with the matter, nor, in fact, had any body else that could be seen, for the person who had thrown it took especial good care to be missing before the Midshipman could clear his eyes.

"I know who it was," roared Sherwood; "this is shameful treatment; but, I say again, I know who it was."

"Which means precisely that you do *not* know," uttered Jemmy. "But I agree with you that such conduct is unbecoming an officer and a gentleman—provided it was an officer and a gentleman who did it; which admits of strong doubts; because, if he had been an officer and a gentleman, he wouldn't have done it. Here wipe your face," and he handed him one of Handsel's sheets, "whilst I lay down the law of the case to you."

"Come, avast there, Jemmy," said Black, making his appearance from abaft, although he had gone up the fore-hatchway upon deck, "avast there, let's have none of your law; you think because your father's a judge that you must know every thing."

"No, not every thing, my boy, only the law," answered Wright; "and as Sherwood has been villainously damnified, I want to point out to him in what respect he has been injured."

"There's not much occasion for that, Jemmy," returned Black; "look at his muzzle, and you'll find it."

"Oh, black enough, no doubt," interrupted Wright, giving his messmate a sly look, but full of meaning, as he shrewdly suspected that the swab had come from his hands. "But what says the articles of war? If any flag officer—"

"You may spare yourself any further trouble, Wright," said the mortified and angry Sherwood; "I know the proper course to pursue for redress. Irons, (the marine who attended him,) give me my coat,



cocked hat, and dirk; I will lay a formal complaint, and see what Mr. Forebrace will say to it."

"And pray tell him that you wouldn't turn out for the middle watch," said Black. "How's your incipient fever—eh, my boy?"

"Are you going on leave, Mr. Sherwood," inquired Ben. Irons, as he took the articles which had been ordered out of the chest, and rubbed down the coat with his hands to take out the wrinkles.

"No, I am not going on leave," returned the Midshipman, as he turned to have his garment put on.

"Then, what do you want with your full uniform, Sir?" asked Irons; "there's trouble enough to keep 'em clean without sporting long togs on a washing day."

"In my last ship, under a Vice Admiral's flag, no officer was allowed to make a formal complaint without being in full uniform. It is a good regulation, and I shall do it here, unless ordered to discontinue it," explained the Mid.

A laugh followed this announcement; but a louder sound rose above it from the deck—it was the Boatwain's-Mate's pipe, loud and piercing, which was followed by a stentorian voice, shouting, "Small cutters away!" There was a scrambling up the hatchways by the boat's crew, and then Wright inquired whether the Mid "wished to tender a written complaint?"

"It is not necessary," said Sherwood, lingering, as he smoothed the beaver of his cocked hat; for the thought crossed him that probably he should go to leeward, as he was not now in an Admiral's ship; but ashamed of receding, as he had gone so far, he belted on his dirk, put on his scraper, and ascended to the quarter deck, where the First Lieutenant, without shoes or stockings, was hurrying from aft, and catching sight of the Midshipman in full fig, he exclaimed—

"That's right, Mr. Sherwood; I am glad to see you so much on the alert this morning; jump into the small cutter, Sir, and go with Mr. Pinchandscrew to the victualling office."

Sherwood approached Forebrace, respectfully touching the peaked corner of his cocked hat—"I beg pardon, Sir, I wished to—"

"Ask for leave, I suppose," added the Lieutenant, stopping short in his walk. "No, no, no! ship's duty must be done, Sir; I was giving you more credit than you deserve, it seems. Jump into the boat, Sir, the Purser is alongside waiting for you. Bear a hand, and don't stand mumbling there like an alligator over a dead seapoy. You flag-ship Midshipmen are devilish slack in stays; away over the gangway, Sir, in a moment, or shin up to the mast-head."

Poor Sherwood had stood bowing and scraping, earnestly desirous of squeezing in a word, but he could not accomplish it even edgewise. The very mention of the mast-head, however, decided him; and hurrying over the side, the intended complainant entered the cutter, which immediately shoved off; and, as they pulled under the bows, he had the additional misery to hear Jemmy on the forecastle, exclaiming—

"You see the law of the case is this—any person in or belonging to the fleet, being an officer and a gentleman, that shall act unbecomingly the character of an officer and a gentleman, such officer and gen-

tleman being proved to be no gentleman, though an officer—"

Here he was interrupted by Handsel calling out, "More wet swabs; bear a hand, or I'll make a formal complaint of some of you." Now, as this was not addressed directly to any one in the boat, the Purser took no notice of it, and poor Sherwood uttered not a word.

By seven bells, the hammocks were all secured to the gantlines; the washed clothes were regularly arranged on the lines between the fore main and mizen shrouds, rising line above line; and the command being given, in little more than a minute the whole were fluttering aloft in the light breeze; the decks were cleared and rinsed over; the hammocks were lashed up and stowed; and exactly at eight o'clock, Mr. Silverlungs, the boatswain, in harmony with his mates, "piped to breakfast."

Sugarsop had just come upon the quarter-deck to relieve Handsel, when the gun-room steward stepped up to the latter, and politely bowing, said, "The officers of the gun-room's compliments, and will be happy to see Mr. Handsel to breakfast."

"My compliments, and I'll attend with much pleasure," replied the Master's Mate. "And now, Sugarsop, I leave you in charge of the deck; keep a good look-out, and mind the ship does not fall overboard—d'ye hear?"

"Yes, Handsel, I hear; but is there really any danger of her falling overboard?" uttered the Midshipman seriously.

"Why, not any immediate danger," returned the Master's Mate, with a steady countenance; "but the false keel has got fore-and-aft, and they've discovered a hole in the well; the keel of the foremast has got a step; and all these things require to be well looked after. So mind your eye, my boy, and no boats to be allowed alongside." He dived below, combed and brushed his hair, whipped on a half dirty shirt, clean white stockings, and well-polished shoes, mounted a white waistcoat and neat blue jacket, and then proceeded to the gun-room.

MOUNT ETNA.—*Extract of a letter from Palermo, January 5.*—"The eruptions of Etna have diminished, and the period of their termination seems fast approaching. Since my last the explosions have not been considerable, and they do not afford much amusement to the foreigners assembled about Catania, who are now beginning to disperse. The torrent of lava has made little progress, and the damage which the burning mass occasions is now very insignificant; but it always affords opportunities for scientific research and interesting observation. The mountain has become entirely inaccessible in consequence of the great fall of snow, which covers it to the very brink of the crater."

It was stated by Sir ROBERT PEEL, in the House of Commons, that the annual estimates for the navy, army, and ordnance, would be £850,000 below those of last year, owing to the peace with China, the treaty with the United States, and the reduction of 100,000 men in the French army.

*From the Madisonian.*  
OFFICIAL CORRESPONDENCE.

## DISPUTED TERRITORY FUND.

DEPARTMENT OF STATE,  
Washington, March 2, 1843.

SIR: I have the honor to transmit to you the copy of a resolve of the Legislature of Maine, recently addressed to the President by the Executive of that State, relative to certain proceedings of the Government of New Brunswick, supposed to be in contravention of the terms of the treaty of 9th August last, between the United States and Great Britain.

Will you do me the favor to communicate to this Department such information on the subject as you may possess, or may be able hereafter to obtain from the Provincial Government in explanation of the proceedings referred to?

I avail myself, &c. &c.  
(Signed) DANL. WEBSTER.

HENRY S. FOX, Esq.  
&c. &c. &c.

## STATE OF MAINE.

*Resolve in relation to bonds or securities that were to be surrendered by Great Britain to the States of Maine and Massachusetts under the late Treaty.*

*Resolved*, That the Governor be requested to inform the President of the United States that the Government of the Province of New Brunswick are attempting to collect from citizens of this State and others bonds belonging to the "disputed territory fund," so called, which were given for lumber cut under permits from the States of Maine and Massachusetts, in contravention of the Treaty of Washington; and request the President to remonstrate with the British Minister against said proceeding, and to insist on the stipulation of the treaty, which provides that any bonds or securities appertaining thereto (the disputed territory fund) shall be paid and delivered over to the Government of the United States; and to take such measures relating to the matter as to him may seem fit to cause the treaty stipulations to be carried into effect, that the citizens of this State may be saved any further aggravation from that source.

In the House of Representatives, February 17, 1843. Read and passed.

DAVID DUNN, Speaker.

In Senate, February 17, 1843. Read and passed.

EDW. KAVANAGH, President.

February 17, 1843. Approved,

JOHN FAIRFIELD.

A true copy. Attest:

PHILIP C. JOHNSON, Sec'y of State.

WASHINGTON, March 4, 1843.

SIR: I have the honor to acknowledge the receipt of your letter of yesterday's date, enclosing certain resolutions recently passed by the Legislature of the State of Maine, with respect to the management of the Disputed Territory Fund.

I am not at present in possession of any information upon the subject to which these resolutions refer; but I shall immediately forward your communication to the Lieutenant Governor of New Brunswick, and will acquaint you with his Excellency's reply. I shall also transmit the correspondence to her Majesty's Government in England.

With regard to the form of the resolutions themselves, as you make no observation thereupon in your letter, I hope I am justified in believing that you disapprove, equally with myself, of the unbecoming and disrespectful language in which they are drawn up.

I avail myself, &c. &c.

(Signed) H. S. FOX.

The Hon. DANIEL WEBSTER, &c. &c. &c.

WASHINGTON, March 31, 1843.

SIR: With reference to your letter of the 2d instant, conveying to me certain resolutions passed by the Legislature of the State of Maine, upon the subject of bonds belonging to the Disputed Territory Fund, which letter was referred by me for information to the Lieutenant Governor of New Brunswick, I have now to acquaint you that the Lieutenant Governor informs me that, so long ago as October last, upon receiving intelligence from Lord Ashburton of the signature of the Treaty of Washington, he had issued orders to the Attorney General of the Province to suspend all proceedings upon the bonds in question. The Attorney General reports officially that the above orders have been duly obeyed. It appears, therefore, that the resolutions of the Maine Legislature cannot have been grounded upon an accurate statement of facts. I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

H. S. FOX.

The Hon. DANIEL WEBSTER, &c. &c. &c.

## RIGHT OF VISITATION, OR SEARCH

DEPARTMENT OF STATE,  
Washington, 28th March, 1843.

SIR:—I transmit to you with this despatch, a message from the President of the United States to Congress, communicated on the 27th of February, and accompanied by a report made from this Department to the President, of the substance of a despatch from Lord Aberdeen to Mr. Fox, which was by him read to me on the 24th ultimo.

Lord Aberdeen's despatch, as you will perceive, was occasioned by a passage in the President's Message to Congress, at the opening of its late session. The particular passage is not stated by his Lordship; but no mistake will be committed, it is presumed, in considering it to be that which was quoted by Sir Robert Peel, and other gentlemen, in the debate in the House of Commons on the answer to the Queen's Speech, on the 3d of February.

The President regrets that it should have become necessary to hold a diplomatic correspondence upon the subject of a communication from the head of the Executive Government to the Legislature; drawing after it, as in this case, the further necessity of referring to observations made by persons in high and responsible stations, in the debates of public bodies. Such a necessity, however, seems to be unavoidably incurred in consequence of Lord Aberdeen's despatch; for although the President's recent message may be regarded as a clear exposition of his opinions, on the subject, yet a just respect for Her Majesty's Government, and a disposition to meet all questions with promptness, as well as with frankness and candor, require that a formal answer should be made to that despatch.

The words in the message at the opening of the session which are complained of, it is supposed, are the following: "Although Lord Aberdeen, in his correspondence with the American Envoys, at London, expressly disclaimed all right to detain an American ship on the high seas, even if found with a cargo of slaves on board, and restricted the British pretension to a mere claim to visit and inquire, yet it could not well be discerned by the Executive of the United States how such visit and inquiry could be made without detention on the voyage, and consequent interruption to the trade. It was regarded as the right of search, presented only in a new form, and expressed in different words; and I therefore felt it to be my duty distinctly to declare, in my annual message to Congress, that no such concession could be made; and that the United States had both the will and the ability to enforce their own laws, and to protect their flag from being used for purposes wholly forbidden by those laws, and obnoxious to the moral censure of the world."



This statement would tend, as Lord Aberdeen thinks, to convey the supposition not only that the question of the right of search had been disavowed by the British Plenipotentiary, at Washington, but that Great Britain had made concessions on that point.

Lord Aberdeen is entirely correct in saying that the claim of a right of search was not discussed during the late negotiation, and that neither was any concession required by this Government, nor made by that of Her Britannic Majesty.

The 8th and 9th articles of the Treaty of Washington, constitute a mutual stipulation for concerted efforts to abolish the African slave trade. This stipulation, it may be admitted, has no other effects on the pretensions of either party, than this: Great Britain had claimed as a right, that which this Government could not admit as a right, and in the exercise of a just and proper spirit of amity, a mode was resorted to, which might render unnecessary both the assertion and the denial of such claim.

There probably are those who think that what Lord Aberdeen calls a right of visit, and which he attempts to distinguish from the right of search, ought to have been expressly acknowledged by the Government of the United States; at the same time, there are those on the other side, who think that the formal surrender of such right of visit should have been demanded by the United States, as a precedent condition to the negotiation for Treaty stipulations on the subject of the African slave trade. But the Treaty neither asserts the claim in terms, nor denies the claim in terms; it neither formally insists upon it, nor formally renounces it. Still, the whole proceeding shows, that the object of the stipulation was to avoid such differences and disputes as had already arisen, and the serious practical evils and inconveniences which, it cannot be denied, are always liable to result from the practice which Great Britain had asserted to be lawful. These evils and inconveniences had been acknowledged by both Governments. They had been such as to cause much irritation, and to threaten to disturb the amicable sentiments which prevailed between them. Both Governments were sincerely desirous of abolishing the slave trade; both Governments were equally desirous of avoiding occasion of complaint by their respective citizens and subjects; and both Governments regarded the 8th and 9th articles as effectual for their avowed purpose; and likely, at the same time, to preserve all friendly relations, and to take away causes of future individual complaints. The Treaty of Washington was intended to fulfil the obligations entered into by the Treaty of Ghent. It stands by itself, is clear and intelligible. It speaks its own language, and manifests its own purpose. It needs no interpretation, and requires no comment. As a fact, as an important occurrence in National intercourse, it may have important bearings on existing questions, respecting the public law; and individuals, or perhaps Governments, may not agree as to what these bearings really are. Great Britain has discussions, if not controversies, with other great European States, upon the subject of visit or search. These States will naturally make their own commentary on the Treaty of Washington, and draw their own inferences from the fact that such a treaty has been entered into. Its stipulations, in the mean time, are plain, explicit, satisfactory to both parties, and will be fulfilled on the part of the United States, and it is not doubted on the part of Great Britain also, with the utmost good faith.

Holding this to be the true character of the Treaty, I might perhaps excuse myself from entering into the consideration of the grounds of that claim of a right to visit merchant ships, for certain purposes in time of peace, which Lord Aberdeen asserts for the British Government, and declares that it can never sur-

render. But I deem it right, nevertheless, and no more than justly respectful towards the British Government, not to leave the point without remark.

In his recent message to Congress, the President, referring to the language of Lord Aberdeen, in his note to Mr. Everett of the 20th of December, 1841, and in his late despatch to Mr. Fox, says, "these declarations may well lead us to doubt whether the apparent difference between the two Governments is not rather one of definition than of principle."

Lord Aberdeen, in his note to you of the 20th of December, says, "the undersigned again renounces, as he has already done in the most explicit terms, any right on the part of the British Government to search American vessels in time of peace. The right of search, except when specially conceded by treaty, is a purely belligerent right, and can have no existence on the high seas during peace. The undersigned apprehends, however, that the right of search is not confined to the verification or nationality of the vessel, but also extends to the object of the voyage and the nature of the cargo. The sole purpose of the British cruisers is to ascertain whether the vessels they meet with are really American or not. The right asserted has, in truth, no resemblance to the right of search, either in principle or practice. It is simply a right to satisfy the party who has a legitimate interest in knowing the truth, that the vessel actually is what her colors announce. This right we concede as freely as we exercise. The British cruisers are not instructed to detain American vessels, under any circumstances whatever; on the contrary, they are ordered to abstain from interference with them, be they slavers or otherwise. But where reasonable suspicion exists that the American flag has been abused for the purpose of covering the vessel of another nation, it would appear scarcely credible, had it not been made manifest by the repeated protestations of their representative, that the Government of the United States, which has stigmatized and abolished the trade itself, should object to the adoption of such means as are indispensably necessary for ascertaining the truth."

And in his recent despatch to Mr. Fox, his Lordship further says, "that the President might be assured that Great Britain would always respect the just claims of the United States; that the British Government made no pretension to interfere in any manner whatever, either by detention, visit, or search, with vessels of the United States, known or believed to be such; but that it still maintained, and would exercise when necessary, its own right to ascertain the genuineness of any flag which a suspected vessel might bear; that if, in the exercise of this right, either from involuntary error, or in spite of every precaution, loss or injury should be sustained, a prompt reparation would be afforded; but that it should entertain, for a single instant, the notion of abandoning the right itself, would be quite impossible."

This, then, is the British claim, as asserted by Her Majesty's Government.

In his remarks in the speech already referred to, in the House of Commons, the first Minister of the Crown said: "There is nothing more distinct than the right of visit is from the right of search. Search is a belligerent right, and not to be exercised in time of peace, except when it has been conceded by treaty. The right of search extends not only to the vessel, but to the cargo also. The right of visit is quite distinct from this, though the two are often confounded. The right of search, with respect to American vessels, we entirely and utterly disclaim; nay, more, if we knew that an American vessel were furnished with all the materials requisite for the slave-trade; if we knew that the decks were prepared to receive hundreds of human beings, within a space in which life is almost impossible, still we should be bound to let that American vessel pass on. But the right we

claim is to know whether a vessel pretending to be American, and hoisting the American flag, be *bona fide* American."

The President's message is regarded as holding opinions in opposition to these.

The British Government then supposes that the right of visit and the right of search are essentially distinct in their nature, and that this difference is well known and generally acknowledged; that the difference between them consists in their different objects and purposes: one, the visit, having for its object nothing but to ascertain the nationality of the vessel; the other, the search, being an inquisition, not only into the nationality of the vessel, but the nature and objects of her voyage, and the true ownership of her cargo.

The Government of the United States, on the other hand, maintains that there is no such well known and acknowledged, nor, indeed, any broad and genuine difference between what has been usually called visit, and what has been usually called search; that the right of visit, to be effectual, must come in the end to include search; and thus to exercise, in peace, an authority which the law of nations only allows in time of war.

If such well-known distinction exists, where are the proofs of it? What writers of authority on the public law, what adjudications in courts of Admiralty, what public treaties recognize it? No such recognition has presented itself to the Government of the United States; but, on the contrary, it understands that public writers, courts of law, and solemn treaties have, for two centuries, used the words "visit" and "search" in the same sense. What Great Britain and the United States mean by the "right of search" in its broadest sense, is called by Continental writers and jurists by no other name than the "right of visit." Visit, therefore, as it has been understood, implies not only a right to inquire into the national character, but to detain the vessel, to stop the progress of the voyage, to examine papers, to decide on their regularity and authenticity, and to make inquisition on board, for enemy's property, and into the business which the vessel is engaged in. In other words, it describes the entire right of belligerent visitation and search. Such a right is justly disclaimed by the British Government in time of peace. They, nevertheless, insist on a right which they denominate a right of visit, and by that word describe the claim which they assert; therefore it is proper and due to the importance and delicacy of the questions involved, to take care that, in discussing them, both Governments understand the terms which may be used in the same sense. If, indeed, it should be manifest that the difference between the parties is only verbal, it might be hoped that no harm would be done; but the Government of the United States thinks itself not justly chargeable with excessive jealousy, or with too great scrupulosity in the use of words, in insisting on its opinion that there is no such distinction, as the British Government maintains, between visit and search; and that there is no right to visit in time of peace, except in the execution of revenue laws, or other municipal regulations, in which cases the right is usually exercised, near the coast, or within the marine league, or where the vessel is justly suspected of violating the law of Nations by piratical aggression; but, wherever exercised, it is a right of search. Nor can the United States Government agree that the term "right" is justly applied to such exercise of power, as the British Government thinks it indispensable to maintain in certain cases.

The right asserted is a right to ascertain whether a merchant vessel is justly entitled to the protection of the flag which she may happen to have hoisted, such vessel being in circumstances which render her liable to the suspicion—first, that she is not entitled to the protection of the flag; and, secondly, that if not entitled to it, she is either by the law of England as

an English vessel, or under the provisions of treaties with certain European powers subject to the supervision and search of British cruisers.

And yet Lord Aberdeen says, "that if in the exercise of this right, either from involuntary error, or in spite of every precaution, loss or injury should be sustained, a prompt reparation would be afforded."

It is not easy to perceive how these consequences can be admitted justly to flow from the fair exercise of a clear right. If injury be produced by the exercise of a right, it would seem strange that it should be repaired, as if it had been the effect of a wrongful act. The general rule of law certainly is, that in the proper and prudent exercise of his own rights, no one is answerable for undesigned injuries. It may be said that the right is a qualified right; that it is a right to do certain acts of force at the risk of turning out to be wrong doers, and of being made answerable for all damages. But such an argument would prove every trespass to be matter of right, subject only to just responsibility. If force were allowed such reasoning, in other cases, it would follow that an individual's right in his own property, was hardly more than a well founded claim for compensation, if he should be deprived of it. But compensation is that which is rendered for injury, and is not commutation or forced equivalent for acknowledged rights. It implies at least in its general interpretation the commission of some wrongful act.

But without pressing further these inquiries into the accuracy and propriety of definitions, and the uses of words, I proceed to draw your attention to the thing itself, and to consider what these acts are which the British Government insists its cruisers have a right to perform and to what consequences they naturally and necessarily lead. An eminent member of the House of Commons thus states the British claim, and his statement is acquiesced in and adopted by the first Minister of the Crown:

"The claim of this country is for the right of our cruisers to ascertain whether a merchant vessel is justly entitled to the protection of the flag which she may happen to have hoisted—such vessel being in circumstances which render her liable to the suspicion—first, that she was not entitled to the protection of the flag; and, secondly, if not entitled to it, she was either under the law of nations or the provisions of treaties, subject to the supervision and control of our cruisers."

Now the question is, *by what means* is this ascertainment to be effected?

As we understand the general and settled rules of public law in respect to ships of war sailing under the authority of their Government "to arrest pirates and other public offenders," there is no reason why they may not approach any vessels despatched at sea, for the purpose of ascertaining their real characters. Such a right of approach seems indispensable for the fair and discreet exercise of their authority; and the use of it cannot be justly deemed indicative of any design to insult or injure those they approach, or to impede them in their lawful commerce. On the other hand, it is as clear that no ship is, under such circumstances, bound to lie by, or wait the approach of any other ship. She is at full liberty to pursue her voyage in her own way, and to use all necessary precautions to avoid any suspected sinister enterprise or hostile attack. Her right to the free use of the ocean, is as perfect as that of any other. An entire equality is presumed to exist. She has a right to consult her own safety; but, at the same time, she must take care not to violate the rights of others. She may use any precautions dictated by the prudence or fears of her officers, either as to delay, or the progress or course of her voyage; but she is not at liberty to inflict injuries upon other innocent parties, simply because of conjectural dangers.

But, if the vessel thus approached, attempts to avoid the vessel approaching, or does not comply



with her commander's order to send him her papers for his inspection, nor consent to be visited, or detained, what is next to be done? Is force to be used? and if force be used, may that force be lawfully repelled? These questions lead at once to the elemental principle, the essence of the British claim. Suppose the merchant vessel be, in truth an American vessel, engaged in lawful commerce, and that she does not choose to be detained. Suppose she resists the visit. What is the consequence? In those cases in which the belligerent right of visit exists, resistance to the exercise of that right is regarded as just cause of condemnation, both of vessel and cargo. Is that penalty, or what other penalty, to be incurred by resistance to visit in time of peace? Or suppose that force be met by force, gun returned for gun, and the commander of the cruiser, or some of his seamen, be killed, what description of offence will have been committed? It would be said, in behalf of the commander of the cruiser, that he mistook the vessel for a vessel of England, Brazil, or Portugal; but does this mistake of his take away from the American vessel the right of self-defence? The writers of authority declare it to be a principle of natural law, that the privilege of self-defence exists against an assailant, who makes the object of his attack for another whom he had a right to assail.

Lord Aberdeen cannot fail to see, therefore, what serious consequences might ensue, if it were to be admitted that this claim to visit, in time of peace, however limited or defined, should be permitted to exist as a strict matter of right; for, if it exist as a right, it must be followed by corresponding duties and obligations, and the failure to fulfil those duties would naturally draw penal consequences after it, 'till ere long it would become, in truth, little less, or little other, than the belligerent right of search.

If visit, or visitation, be not accompanied by search, it will be, in most cases, merely idle. A sight of papers may be demanded, and papers may be produced; but it is known that slave traders carry false papers and different sets of papers. A search for other papers then must be made, where suspicion justifies it, or else the whole proceeding would be nugatory. In suspicious cases, the language and general appearance of the crew are among the means of ascertaining the national character of the vessel. The cargo on board, also, often indicates the country from which she comes. Her log-book, showing the previous course and events of her voyage, her internal fitment, and equipment, are all evidences for her, or against her, on her allegation of character. These matters, it is obvious, can only be ascertained by rigorous search.

It may be asked, if a vessel may not be called on to show her papers, why does she carry papers? No doubt she may be called on to show her papers, but the question is, where, when, and by whom? Not in time of peace, on the high seas, where her rights are equal to the rights of any other vessel, and where none has a right to molest her. The use of her papers is, in time of war, to prove her neutrality, when visited by belligerent cruisers; and, in both peace and war, to show her national character, and the lawfulness of her voyage, in those ports of other countries, to which she may proceed for purposes of trade.

It appears to the Government of the United States, that the view of this whole subject, which is the most naturally taken, is also the most legal, and most in analogy with other cases. British cruisers have a right to detain British merchantmen for certain purposes; and they have a right, acquired by Treaty, to detain merchant vessels of several other nations for the same purposes. But they have no right at all to detain an American merchant vessel. This, Lord Aberdeen admits in the fullest manner. Any detention of an American vessel by a British cruiser is therefore a wrong—a trespass—although it may be done under the belief that she was a British vessel,

or that she belonged to a nation which had conceded the right of such detention to the British cruisers; and the trespass, therefore, an involuntary trespass. If a ship of war, in thick weather, or in the darkness of night, fire upon and sink a neutral vessel, under the belief that she is an enemy's vessel, this is a trespass—a mere wrong—and cannot be said to be an act done under any right, accompanied by responsibility for damages. So, if a civil officer on land have process against one individual, and through mistake arrest another, this arrest is wholly tortious. No one would think of saying it was done under any lawful exercise of authority, subject only to responsibility, or that it was any thing but a mere trespass, though an unintentional trespass. The municipal law does not undertake to lay down beforehand any rule for the government of such cases: and as little, in the opinion of the Government of the United States, does the public law of the world lay down beforehand any rule for the government of cases of involuntary trespasses, detentions and injuries at sea; except that in both classes of cases, law and reason make a distinction between injuries committed through mistake and injuries committed by design; the former being entitled to fair and just compensation, the latter demanding exemplary damages, and sometimes personal punishment. The Government of the United States has frequently made known its opinion, which it now repeats, that the practice of detaining American vessels, subject to just compensation, however guarded by instructions, or however cautiously exercised, necessarily leads to serious inconvenience and injury. The amount of loss cannot be always well ascertained.—Compensation, if it be adequate in the amount, may still necessarily be long delayed; and the pendency of such claims always proves troublesome to the Governments of both countries. These detentions, too, frequently irritate individuals—cause warm blood, and produce nothing but ill effects on the amicable relations existing between the two countries. We wish, therefore, to put an end to them, and to avoid all occasion for their recurrence.

On the whole, the Government of the United States, while it has not conceded a mutual right of visit or search, as has been done by the parties to the Quintuple Treaty of December, 1841, does not admit that by the law and practice of nations, there is any such thing as a right of visit distinguished by well known rules and definitions from the right of search.

It does not admit that visit of American merchant vessels by British cruisers is founded on any right, notwithstanding the cruiser may suppose such vessel to be British, Brazilian, or Portuguese. It cannot but see that the detention and examination of American vessels by British cruisers, has already led to consequences, and it fears that if continued, it would still lead to further consequences, highly injurious to the lawful commerce of the United States.

At the same time, the Government of the United States fully admits that its flag can give no immunity to pirates, nor to any other than to regularly documented American vessels; and it was upon this view of the whole case, and with a firm conviction of the truth of these sentiments, that it cheerfully assumed the duties contained in the Treaty of Washington; in the hope that thereby causes of difficulty and of difference, might be altogether removed, and that the two powers might be enabled to act concurrently, cordially, and effectually, for the suppression of a traffic which both regard as a reproach upon the civilization of the age, and at war with every principle of humanity and Christian sentiment.

The Government of the United States has no interest, nor is it under the influence of any opinions which should lead it to desire any derogation of the just authority and rights of maritime powers. But in the convictions which it entertains, and in the measures which it has adopted

it has been governed solely by a sincere desire to support those principles and those practices, which it believes to be conformable to public law, and favorable to the peace and harmony of nations.

Both Houses of Congress, with a remarkable degree of unanimity, have made express provisions for carrying into effect the 8th article of the Treaty. An American squadron will immediately proceed to the coast of Africa. Instructions for its Commander are in the course of preparation, and copies will be furnished to the British Government, and the President confidently believes that the cordial concurrence of the two Governments, in the mode agreed on, will be more effectual than any efforts yet made for the suppression of the slave trade.

You will read this despatch to Lord Aberdeen, and if he desire it, give him a copy.

I am, sir, your obedient servant.

(Signed.) DANL. WEBSTER.

EDWARD EVERETT, Esq., &c., &c., &c.

#### NORTHEASTERN BOUNDARY.

DEPARTMENT OF STATE,

WASHINGTON, 31st March, 1843.

SIR: I transmit to you, with other papers relating to the same subject, a copy of a report from Captain Webster, commanding the United States post at Fort Kent, in Maine, made to Colonel Pierce, and transmitted to this Department by the Secretary of War.

You will see by this report that a gross violation of the Territory of the United States was perpetrated, on the 11th instant, by a subordinate civil officer of New Brunswick, countenanced and encouraged, as I am astonished to see, by the late Warden, Mr. McLaughlin.

These functionaries, it appears, have taken upon themselves to decide that there is no boundary line established as yet between Maine and New Brunswick, inasmuch as the late Treaty has not been confirmed by Parliament, nor proclaimed by the local authorities of the Province. They, therefore, attempt to execute civil process, by British authority, south of the St. Johns. It is to be hoped that, on becoming acquainted with the facts of an outrage, committed under such a presumptuous and preposterous pretence, the Lieutenant Governor will have taken prompt measures to bring the perpetrators to condign punishment. You will see that the constable, Craven, was treated with far greater mildness and lenity than he deserved, by the authorities of the United States and Maine.

I have to add that Captain Webster has been informed, through the proper medium of communication, that his conduct is entirely approved.

I have the honor to be, sir, with high consideration, your obedient servant.

DANIEL WEBSTER.

HENRY S. FOX, Esq., &c. &c. &c.

FORT KENT, FISH RIVER,

March 13, 1843.

COLONEL: I have the honor to report, for the information of the Commander-in-chief, that an American citizen (named Daniel Savage) was, on the morning of the 11th inst., forcibly abducted from American territory, and carried past this post in open daylight, by a constable of New Brunswick, named John C. Craven. On the evening of the same day the local civil authorities made a requisition upon me for assistance to enable them to protect this citizen of the State, and to execute the laws in so doing—stating that they had not sufficient civil force for the purpose, as Craven was known to be armed and of a most determined character. Under these circumstances, deeming it my duty to furnish the required aid, I placed an officer and three men at the disposal of the State authorities, with directions to act as they might require; but, under no circumstances,

to pass beyond the limits of the State, as defined by the late treaty with Great Britain, of the operation of which I may here remark that I had not the slightest doubt.

The party proceeded down the river, and on the morning of the 12th stopped on the south, or American side of the river, about two miles below the mouth of the Madawaska, at the house of a Frenchman named Hébert; meanwhile the prisoner, Savage, escaped from the English side of the river, and fled to Hébert's for protection; the English constable pursued, and was arrested by the American constable, under the warrant of the State, on the AMERICAN side of the river, in the attempt to recapture his prisoner, pistol in hand, threatening that he would still, if possible, force him back to the other side of the river. At the time of this arrest, Major Leonard Coombe, a justice of the peace for New Brunswick, (at whose suit Savage had been taken,) was present, and in his official capacity, ordered the legally constituted authorities of Maine to desist, and directed Craven to resist them to the last. Craven then did attempt resistance in such a manner that it became necessary for the constable to call for the assistance of the party sent by me,—when one of the men, a sergeant, aided the constable in quieting and securing him. He was then brought to this place, and this morning after examination before the magistrates was placed under bonds to appear before the Court at Bangor, and set at liberty.

Last evening, after the above named transactions, I was called upon by Mr. James McLaughlin, warden of the recently disputed Territory, who officially informed me, in the presence of the other officers of the garrison, that all exercise of jurisdiction by the American authorities, over the territory lying below the mouth of Fish river, and on the South bank of the St. Johns, would be regarded by him in his capacity of Warden, as a violation of Her Majesty's dominions—that the TREATY had not been sanctioned by act of Parliament, and was in consequence perfectly null here, and that the English still exercised all their former claims and rights upon this Territory—and should do so until Parliament had sanctioned the Treaty and their Government proclaimed it throughout the province, however long they might choose to delay this sanction and proclamation. I replied that this was an entirely new view of the case to me, and that I could not see or acknowledge the justice of these pretensions,—that I must regard the official publication of the Treaty with the President's proclamation as sufficient authority for my guidance, and through these must look upon the Territory yielded by the Treaty, as now belonging to, and within the jurisdiction of the State of Maine, and moreover, that the State had already commenced exercising their jurisdiction, south of the St. Johns, and to my knowledge were organizing townships, and exercising authority there in various ways,—that, therefore, any infringement of the rights, or liberty of the inhabitants thereof, by a foreign power, must be regarded by me as a violation of the rights of American citizens, which I was bound to defend and protect.—Still, that I felt the strongest desire to preserve harmony and quiet on this frontier, and should, as I had heretofore done, use every exertion to do so, and to prevent all unnecessary difficulty, and that I would refrain from, and would endeavor to prevent the exercise of any conflicting authority, (except under the most imperative circumstances,) until this matter could be laid before the Government, and I should receive instructions on the subject. He, however, would make no corresponding concession, but said that he should act as Warden of the Disputed Territory, and make such arrests, and exercise such jurisdiction as he thought proper in the territory conceded to the United States by the treaty—that he had been present during the negotiations for the treaty,



and was possessed of details which we knew nothing about, and in a word, intimated much more than he expressed.

He further stated, that if the opportunity presented he should, even on this side, arrest the lieutenant, or any of the party permitted by me to accompany the civil authorities, and persisted in saying, that he should consider and report, that they had acted in a military capacity, although I told him most explicitly, that they went on the requisition of the civil authorities, as a civil force or posse; and, moreover, while at Hebert's, at the time of the arrest, when appealed to by Major Coombe, they distinctly stated that they had no authority, but were acting under the control of the constable in a civil capacity.—Though I informed him that I considered that I had a right to go there in in a military capacity, should circumstances render it necessary,—And further, in reply to his demand for the liberation of Craven, I stated that he was in the possession of the civil authorities, and was not, and never had been, under my control.

Mr. McLaughlin then stated that he should not only report to his Government all the particulars of the transaction, but also the conversation held with me on the subject. I have therefore thought it my duty to be thus minute in my details, in order that my own Government might be equally well informed of the facts in the case, and that no inconvenience should arise from the delay necessary in obtaining information from this remote post. As speedy instruction on the subject is desirable—since I am informed that other arrests or abductions are in contemplation, which it is hoped the prompt interference in the case of Savage will, for the present, prevent.

I must further add, that Savage lives and was arrested on our Island in the St. John, about 7 miles above this Post, which is well known to be on the South side of the main channel of the river, and virtually acknowledged to be within American jurisdiction, by the English authorities, since Leonard Coombe, at whose suit Savage was now taken, a year ago took out writs against him from the State Courts, and had him arrested by officers of the State. And Mr. McLaughlin himself admitted the impropriety of the recent arrest.

I herewith enclose a copy of a written communication of this date, made by me to Mr. McLaughlin.

I have the honor to be, very respectfully, your obedient servant,

L. B. WEBSTER,

Capt. Commanding Post.

To Lt. Col. B. K. PIERCE,

Commanding Department No. 6., Portland.

WASHINGTON, April 1 1843.

SIR: I have the honor to acknowledge the receipt of your letter of yesterday's date, containing the report, as received by the United States Government, of a collision between the subordinate judicial authorities of New Brunswick and Maine, in a part of the late disputed territory. I have as yet received no information of this occurrence from Her Majesty's authorities; but I shall immediately transmit your letter, with the inclosed documents, to the Lieutenant Governor of New Brunswick, and will acquaint you with his reply. In the meantime, if it shall have been found that any indiscretion or irregularity has been committed by persons serving under the authority of the British Provincial Government, I have no doubt that the matter will have been already set to rights by the Lieutenant Governor. I shall, also, of course transmit the correspondence to Her Majesty's Government in England. I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

(Signed.)

H. S. FOX.

The Hon. DANIEL WEBSTER, &c., &c., &c.

To the Editor of the Army and Navy Chronicle:

Boston, March 28, 1843.

SIR: The idea in the following communication occurred to me some time since, and as I do not recollect of having seen it stated before, you may possibly think it worthy of an insertion in your paper:

SINGULAR FACT.—If in the latitude of about thirty degrees an object be fired at, being in a direction immediately west of the gun, the ball remains stationary in space, and the object strikes the ball with a velocity equal to that of the ball; for the velocity of the ball being generally 1,200 or 1,300 feet per second, is, in the latitude above stated, just equal to that of an object on the surface of the earth carried round by the rotation of the earth on its axis; whence, if the gun be discharged pointing to the west, the velocity given to the ball by the power of projection will just balance that acquired by the earth's rotation, and the ball becomes stationary, as regards progression, and the object advancing strikes the ball. At a higher latitude than thirty degrees the ball, of course, acquires a progressive motion, increasing with the latitude, and between thirty degrees and the equator the ball actually recedes, but the object, hurrying after it with increased velocity, always causes the velocity of collision to remain the same. In firing north or south no such effects are produced necessarily.

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We do not remember having ever seen this particular illustration, but the principle is a familiar one in philosophy. It is thus stated by OLMSTED:

"Motion is distinguished into absolute and relative. *Absolute motion* is a change of place in space with respect to any fixed point; *relative motion* is a change of place in bodies with respect to each other. A body may be at the same time in a state of absolute motion, and of relative rest. Thus, all the different articles contained in a ship under sail, have a motion in common with the ship, but may be at rest with respect to each other. When a man walks towards the stern of a ship at the same rate as that of the ship, he is in motion with respect to the ship, but at rest with respect to the earth. When a balloon, carried along by the wind, attains the same velocity as the wind, it is relatively at rest, and appears to the aeronaut to be in a perfect calm, though it may be actually moving sixty miles an hour. Since the earth, in its annual revolution around the sun, is moving eastward at the rate of 90,000 feet per second, were a cannon ball, at a certain time of day, fired eastward at the rate of 2,000 feet per second, the only effect would be to add 2,000 feet to the velocity which the ball had before in common with the earth; and were it fired westward, the effect would be merely to stop 2,000 out of 90,000 parts of its previous motion, while the cannon would proceed onward leaving it behind."

WRECK OF THE CONCORD.—The brig *Chipola* has been purchased at Rio Janeiro, to proceed to the channel of Mozambique, for the purpose of bringing away the remains of the U. S. ship *Concord*, lately wrecked on the east coast of Africa.—*New York Com. Adv.*

## WASHINGTON.

THURSDAY, APRIL 6, 1843.

## A BRIG OF WAR BY CONTRACT.

It has been decided to have a man-of-war brig built in Baltimore, under the superintendence of Captain GARDNER, of the navy, and the contract has been taken. She is to be constructed of the best materials and in the most substantial manner. She is to be put in the water completely rigged, and equipped with a full suit of sails, ready for her armament, provisions, and crew, all for \$20,000—less than half of what she would cost if built in the usual way at one of our navy-yards. This looks something like practical reform, and we rejoice to see it. The navy has sprung a leak in some places, and this is one. If its friends do not look to it in time, it will lose the popular breeze that hitherto has borne it so swimmingly along. Something must be done to secure good husbandry and economy in the building and fitting of men-of-war. The public need not now be told that ships are built at our navy-yards at double price, and then repaired at double first cost; and we are only surprised that political economists and the advocates of reform, in striking at retrenchment, should entirely have overlooked the enormous waste which the present system of building and repairing our ships of war brings upon the navy.

In connection with this subject, which is of growing importance, is the question of economy in the use of live oak for ships, if, indeed, a matter about which there can be manner of doubt, can be called a question. Live oak costs about \$1 50 per cubic foot, white oak 25 cents. Live oak is almost as hard as iron, and exceedingly difficult to be cut and hewn into shape, so that the expense of working it is also many times the expense of working white oak. Moreover, no ships can be planked up or filled in with live oak; the planking up and filling in are the parts which decay, and so often require the expensive process of repairing. When a ship is to be repaired, as a matter of necessity the large bolts which secure these planks in their places must be drawn; and it is no unfrequent occurrence at our navy-yards, as we are credibly informed, for three men to be employed a whole day in backing out and drawing one single bolt; hence, it occurs, that it often costs more to repair than to build a vessel. For instance, the Fal-mouth, which cost \$94,000 for building, was repaired year before last for \$96,000. We quote from official documents; and any one who will take the trouble to examine House doc. No. 49 of the last session of Congress, will see stronger cases even than this. Take the following:

The Vandalia cost	\$90,000,	repaired for	\$98,000
Vincennes, "	111,000,	"	125,000
Shark, "	23,000,	"	45,000

Indeed, the experience of the last twenty years shows conclusively, that it would be much more economical to dispense entirely with the use of live oak in all vessels under the size of frigates, if not in frigates themselves, and never to repair at all the vessels so built, except when crippled by accident. When they decay, so as to require repairs, let them be sold and

new ones built in their stead. Take the Shark, for instance: She cost \$23,000, and ran six years without any repairs; and the cost of keeping her in repairs for the next six years is stated in the official paper just quoted, to be \$85,000. Now, if, at the end of the first six years, this vessel had been put up at auction, she would have brought, at the lowest estimate, \$6,000 or \$8,000; for our men-of-war, schooners, brigs, and sloops, make admirable merchantmen. This sum, added to the \$85,000 paid in six years for repairs, would have bought four new Sharks, in the place of the one old one. These, at the lowest estimate, would have run, each six years, without a cent's worth of repairs.

The history of every ship in the navy that has had her run of three lustres or more, gives similar results. England has found out long ago the folly of repairing her smaller vessels of war, and has abandoned the plan of doing what we now find to be so expensive. She runs her light vessels until they are too weak from age to carry their armament, when they are sold as traders, and new ones bought or built in their stead.

We hope never to see a live oak ship built again for our navy, we mean of the size of sloops-of-war and under. White oak ships, if let alone, will always last ten or twelve years as men-of-war, and then, with slight repairs, they will run a long time as traders. There is no lack of white oak merchantmen that have been running for twenty years, and are still considered good ships; one that is more than forty years old is now sailing out of Boston. The United States schooner Dolphin, a white oak built ship, cruised actively for fifteen years without having any repairs put upon her beyond caulking and the like. The live oak built sloop-of-war Natchez cost \$106,000; she was in service eleven years; the repairs put upon her during that time amounted to \$130,000, and she was then broken up as useless, at the further cost of \$5,000.

The cost of ships that are built in our navy-yards greatly exceeds the cost of building in private yards. We are told it is not fair to compare the cost of a man-of-war with a trader of the same tonnage, because much greater strength and thicker bulwarks are required in the former. Granted. But let us take the contract-built brig of Baltimore, and compare her cost with that of the man-of-war brig the Dolphin, built in the New York navy-yard. The Baltimore brig is contracted for by responsible persons at \$20,000. The Dolphin, a smaller vessel, cost \$38,000. So, also, the navy-yard built ship Relief, built in all respects as a merchantman, and simply for the purpose of carrying stores to our squadrons abroad; she cost \$85,000. Now, the most splendid packet that sails out of New York, though so superbly fitted, and about three times as large, does not cost as much.

But we do not advocate the building of our ships of war by contract in private yards, because we believe there is a plan that is cheaper still; and that is, by contract in our navy-yards. The Government already owns large quantities of timber for ship building in the different yards, and for many reasons, too obvious to mention, it would be cheaper and more



economical for it to continue to buy its own timber. But when a vessel is to be built, let the proper bureau advertise for proposals. There is the model, and here the moulds; there the work-shops, the timber-sheds, &c., and here the constructors and other officers, to see that the timber be properly husbanded, and the work be rightly and faithfully executed. Contract with one man to put up the frame within a given time, with a second to plank up one side, and with a third the other; with one to lay the decks, with another to make the masts, another the boats, and so on, dividing the work out according to the degree of despatch required. It would call for no capital on the part of the contractor to begin with; hence competition would bring each man's labor down to its proper value; the rich and poor all standing upon the same platform, and honesty and industry meeting with their just and sure reward.

We shall return to this subject again. In the mean time, Captain GARDNER and the Baltimore contractors have our best wishes. We hope that they will, and no doubt they will, add another reference for the demonstration of the problem which the public has been at such expense to prove, and upon the rightful application of which, the welfare of the navy so much depends.

Most of the rigging that was cut adrift from the U. S. ship *Saratoga* has been recovered.

**STEAMER MISSOURI.**—The Madisonian of Thursday last, contains a letter from our late consul at Havana, giving a glowing account of the reception of the steamer *Missouri* at that place. A deputation from the family of the Governor, and an immense concourse of citizens and strangers, "the Englishman, the Frenchman, the German, the Mexican, the Spaniard, the Creole, and hundreds of Americans," were all delighted with their visit to "the beautiful, the magnificent, the perfect *Missouri*."

The writer is of the opinion that "our influence abroad has suffered much in the estimation of the inhabitants of that island, since the appearance of the English steamers there," but that the appearance of this vessel and the noble bearing and politeness of all on board "has restored our country to her accustomed place in the estimation of the people."

**MELANCHOLY SUICIDE.**—We regret to learn that Passed Assistant Surgeon RICHARD W. LEECOCK, of the U. S. brig *Somers*, committed suicide at 6 o'clock on Friday evening in the gun-room of his vessel lying at the navy-yard, Brooklyn, by shooting himself through the head with a pistol. In his death the service has lost a valuable and accomplished officer. He has been attached to the *Somers* ever since she has been in commission, and has enjoyed the highest respect and esteem of all with whom he was associated. He was twenty-eight years of age, and a native of Norfolk, Va. The sad occurrence by which he has closed his life is attributed to a settled melancholy and partial derangement induced by a long and severe attack of the yellow fever, which he contracted on a former voyage to the coast of Africa in the U. S. schooner *Grampus*.—*Tribune*.

#### IMPORTANT STATE PAPERS.

We exclude to-day several interesting articles to make room for the important state papers, in the previous columns, touching our relations with Great Britain. The despatch of the Secretary of State to Mr. Everett clearly defines the views of the Executive of the United States upon the distinction sought to be made by the British Government between the right of visit and the right of search. It asserts, in the most emphatic language, that no such distinction has ever been recognised by the laws of nations, or can exist in fact; and that it never has been and never can be admitted by the American Government.

**Lieut. FREMONT.**—The general court martial which met a short time since at Fort Johnston, Smithville, for the trial of Lieut. Fremont, of the 3d artillery, charged with "illegal and unmilitary conduct," in that he inflicted blows upon three soldiers of his command, who were engaged in an affray at that post some months ago, found him guilty, we are informed, of the charge, and sentenced him "to be suspended from rank and command for four months, and to be confined to the limits of the garrison during that time;" but unanimously recommended to the Secretary of War that the whole sentence should be remitted. Lieut. Fremont, in his defence, admitted the truth of the specifications, justifying himself by the necessities of the case. He alleged that the blows were not used for the purpose of inflicting punishment, but for that of restraining mutinous conduct. So well satisfied were all the members of the court that Lieut. Fremont had acted as the circumstances urgently required, that they united in the recommendation referred to—the law making it obligatory upon them to find the accused guilty. The Secretary of War (Spencer) did not think proper to comply with the recommendation; he remitted that portion of the sentence suspending from rank and command, ordering Lieut. Fremont to duty, at the same time approving the other, confining him to the limits of the garrison for four months.—*Wilmington (N. C.) Chronicle*.

#### OFFICERS AND TROOPS STATIONED AT FORT WASHITA.

Captain B. L. Beall, 2d dragoons, 1 company, commanding company and post.

Captain T. L. Alexander, 6th infantry, commanding company C.

Captain G. A. H. Blake, 2d dragoons, commanding A troop.

Lieut. W. J. Newton, 2d dragoons.

Lieut. J. Monroe, 6th infantry, A. A. Q. M., and A. C. S.

Lieut. John H. Hill, 2d dragoons.

Lieut. P. W. McDonald, 2d dragoons, post adj.

T. C. Hammond, 2d dragoons.

**Medical Staff.**—Wm. J. Sloan, assistant surgeon.

**RECRUITS.**—A draft of forty seamen under command of Lieut. WINGATE, for the U. S. service, arrived here on Saturday, in the schooner *Henrietta*, DORMANS, late from Charleston.—*Norfolk Beacon*.

**NAVY.****March. ORDERS.**

29—Lient. Theo. P. Green, store-ship Lexington, Norfolk.

Lient. W. May, store-ship Lexington, Norfolk.  
Master Henry Worthington, leave extended three months.

Apr.]

3—Lient. T. J. Leib, command of receiving-vessel, Philadelphia, vice Comm'r G. A. Magruder, promoted and relieved.

Pur. C. Murray, steamer Union, Washington.

4—Surgeon E. Du Barry, frigate Macedonian, and as fleet surgeon of the African squadron.

Assistant Surgeon J. Howard Smith, receiving-vessel, New Orleans, vice H. D. Taliaferro, relieved on account of ill health.

Prof. Martin Roche, frigate Macedonian.

Prof. A. G. Pendleton, receiving-ship, Norfolk.

Mid. J. S. Bohrer, steamer Missouri, Washig'n.

**March. RESIGNATION.**

31—Purser Thomas Gadsden.

**APPOINTMENTS.**

22—Arthur W. Upsher, of Virginia, Purser.

31—Charles Murray, of Washington, D. C., Purser.

**Feb. MARINE CORPS.**

13—1st Lient. T. T. Sloan, returned from leave, and ordered to await further orders at headquarters.

24—2d Lient. T. A. Brady, to report to Maj. Twigg, New York, for duty.

2d Lient. J. S. Devlin, to report to Capt. Edelin, at headquarters, for duty.

March.

13—1st Lt. A. H. Gillespie, to frigate Brandywine.

16—2d Lient. J. Watson, detached from steamer Union, and to report to General Henderson. Reported at headquarters, 20th.

27—1st Lient. J. C. Rich, to hold himself in readiness for orders to frigate Macedonian.

April.

**RESIGNATION.**

5—2d Lient. John J. Berret.

**APPOINTMENT.**

5—William W. Russell, of Penn., to be 2d Lient.

NOTE.—The above is a mutual exchange, Mr. Berret succeeding Mr. Russell as a clerk in the Navy Department.

**Naval Intelligence.**

Schooner *Wave* sailed from Norfolk for Charleston, S. C., Thursday, March 30.

HOME SQUADRON.—Brig *Bainbridge*, Lieutenant C. Johnston, arrived at Cape Hayti March 1, and sailed thence on the 6th following for Port au Prince.

Schooner *Boxer* arrived at Nassau, N. P., March 15; all well.

Brig *Dolphin*, Commander J. D. Knight, touched at the southwest pass of the Mississippi March 23, from Vera Cruz the 3d, and Tampico the 9th ultimo.

EAST INDIA SQUADRON.—List of officers attached to the frigate *Brandywine*:

Captain Foxhall A. Parker; Lieutenants, Charles W. Chauncey, Wm. T. Muse, R. B. Pegram, T. A. Hunt, Wm. W. Bleeker, J. B. Marchand; Surgeon, George Blacknall; Assistant Surgeons, Marius Duval, R. W. Jeffery; Purser, D. M. F. Thornton; Chaplain, George Jones; Professor, Joseph T. Huston; Lieutenant of Marines, A. H. Gillespie; Master, Thomas M. Crossan; Passed Midshipmen, Andrew Weir, Wm. E. Boudinot; Midshipmen, J. H. Somerville, D. C. Hugunin, W. L. Powell, W. H. Weaver,

A. H. Waring, E. D. Denny, T. Young, W. Burwell, W. Pillsbury, H. Davidson, J. S. Maury, J. P. Jones, A. McLane, W. H. Murdaugh, J. Heron, A. McLaughlin, W. De Koven, C. Jones; Gunner, J. W. Pennington; Carpenter, Wm. Lee; Sailmaker, George Parker; Captain's Clerk, R. L. Parker; Purser's Clerk, Pollard Webb; Master's Mate, C. B. Oliver.—*Norfolk Beacon*.

**TREASURY DEPARTMENT,  
Washington, March 17, 1843.**

SEALED PROPOSALS will be received at this Department, until the 17th April next, for six Engines, Boilers, and Propellers, constructed upon the plan known as "Hunter's plan." Two of said Engines, Boilers, and Propellers to be delivered on Lake Erie, as designated by the Secretary of the Treasury, the others at such place or places on the sea coast as the Secretary may direct.

Also, two Engines, Boilers, and Propellers upon the plan known as "Ericsson's plan;" to be delivered at some place on the sea coast as the Secretary of the Treasury may direct. The engines, boilers and propellers to be made of the very best materials, to bear the proof and inspection of such person or persons as may be selected by the Secretary of the Treasury. The boilers to have not less than seven hundred [700] fire surface each, working pressure eighty [80] pounds to the square inch, proof two hundred and forty [240] pounds, six [6] eighteen [18] inch cylinders, with three [3] feet stroke. The whole to be delivered as directed, within five months from the time of receiving the drawings and plans for building. The proposals will state the price for which the Engines, Boilers, and Propellers will be delivered and put into complete operation. But as the application of the engines working to either of the said plans is a patent right, the proposals will also state the price asked, including the authority to use the patent right, and also the price exclusive of said authority.

J. C. SPENCER,  
Secretary of the Treasury.

march 23—t17Ap

**TREASURY DEPARTMENT,  
Washington, March 16, 1843.**

SEALED PROPOSALS will be received at this Department, until the 17th April next, for building the hulls of *one, two, or three* Iron Steamers, to be used as Revenue Cutters on the sea coast, of the following dimensions, say: "one hundred and forty (140) feet on deck, twenty-three (23) feet beam, and ten (10) feet hold. Model, drawings, and moulds for building to be furnished by the Department. It is expected that these boats will be built in reference to Hunter's or Ericsson's propellers. The iron used in construction must be American, and of the very best quality, and is to be painted with two good coats of red lead, one before the work is put up and the other after. The whole of said iron work shall be weighed after it is wrought and fitted to its appropriate place, and previous to its being finally put together. Payment will be made according to the nett weight per pound, including coal bunkers, water tanks, and galleys. The chain plates, bobstays, and all iron work necessary to the hull, spars, rigging, sails, and guns will be included in the proposal, and the price for such work will be separately stated; a spar deck of white pine 3 by 6 inches to be laid, secured from underneath with the wood screw bolts, caulked and planed; berth deck of ash or yellow pine 2½ by 6 inches, spiked and bolted to the berth deck beams; also, caulked and planed ceiling planks of white oak to the flooring heads 5 inches thick, thence yellow pine 4 inches thick to the lower deck clamp; all of which will be estimated by the square superficial feet.

The materials and weight used in the construction to be approved, and the work to be inspected by such officer as the Secretary of the Treasury may appoint, and the work to be done according to the direction of the superintendent.

The vessels to be completed within six months from the day of delivering the moulds and plans of building.

The workmanship to be inspected previous to delivery by two competent judges, one to be chosen by each of the parties of the contract, who, in the event of their disagreement, shall select a third, who are to determine whether the work has been executed in all respects according to the proposals and agreement.

J. C. SPENCER,  
Secretary of the Treasury.

march 23—t17Ap

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